

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

CLINT STEPHENS,

Plaintiff,

v.

THE LILITH FUND FOR
REPRODUCTIVE EQUITY, TEXAS
EQUAL ACCESS FUND, THE AFIYA
CENTER,

Defendants.

CIVIL ACTION NO. 5:20-CV-00138-RWS

ORDER

The above-entitled and numbered civil action was referred to the United States Magistrate Judge. On November 2, 2020, the Magistrate Judge entered a Report and Recommendation (Docket No. 20), recommending Plaintiff's Motion to Remand and for Reimbursement of Costs and Fees (Docket No. 12) be **GRANTED IN PART** as to remand and **DENIED IN PART** as to attorneys' fees and costs. The Magistrate Judge further recommended Defendants' Motion to Dismiss (Docket No. 13) be **DENIED AS MOOT WITHOUT PREJUDICE** to refiling in state court.

No objections have been filed to the Report and Recommendation. The Court, having reviewed the relevant briefing and the Report and Recommendation, is of the opinion the findings and conclusions of the Magistrate Judge are correct. That Report and Recommendation contains a thorough analysis of both the facts underlying this lawsuit and the law requiring that this Court remand the matter to state court. As such, the Court hereby adopts the Report and

Recommendation (Docket No. 20) as the findings and conclusions of this Court. Accordingly, it is hereby

ORDERED that Plaintiff's Motion to Remand and for Reimbursement of Costs and Fees (Docket No. 12) is **GRANTED IN PART** and **DENIED IN PART**. Specifically, Plaintiff's motion to remand pursuant to 28 U.S.C. § 1447 is granted and Plaintiff's fee request is denied. It is further

ORDERED the above-referenced cause of action is **REMANDED** to Franklin County, Texas. It is further

ORDERED Defendants' Motion to Dismiss (Docket No. 13) is **DENIED AS MOOT WITHOUT PREJUDICE** to refiling in state court.

So ORDERED and SIGNED this 11th day of January, 2021.

Robert W. Schroeder III
ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE